

12/18/01

J1059 U.S. PTO

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0851-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.

First Inventor

Dave S. Purdy

Title

APPARATUS AND METHOD FOR EVALUATING THE  
PERFORMANCE OF A BUSINESS

Express Mail Label No.

EL 783574057 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)  
Applicant claims small entity status.  
See 37 CFR 1.27.
2. ☒ Specification [Total Pages 28]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross References to Related Applications  
- Statement Regarding Fied sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Pages 1]  
a. ☒ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)  
1. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)  
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))  
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney  
11. ☐ English Translation Document (if applicable)  
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations  
13. ☐ Preliminary Amendment  
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)  
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)  
16. ☐ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.  
17. ☐ Other: Check in the amount of \$370 for filing fee

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.        /         
Prior application information: Examiner        Group / Art Unit:       
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or ☒ Correspondence address below

Name	Kevin W. Cyr				
	Rider, Bennett, Egan & Arundel, LLP				
Address	333 South Seventh Street, Suite 2000				
City	Minneapolis	State	Minnesota	Zip Code	55402
Country	USA	Telephone	(612) 335-3953	Fax	(612) 340-7900

Name (Print/Type)	Kevin W. Cyr	Registration No. (Attorney/Agent)	40,976
Signature	<i>Kevin W. Cyr</i>	Date	December 18, 2001

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Patents, Box Patent Application, Washington, DC 20231.

780795-1

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# FEE TRANSMITTAL for FY 2002

Patient fees are subject to annual revision.

Complete if Known

Application Number  
Filing Date December 18, 2001  
First Named Inventor DAVE S. PURDY  
Examiner Name  
Group / Art Unit  
Attorney Docket No. 16938-102

TOTAL AMOUNT OF PAYMENT (\$) 370

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																				
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to</p> <p>Deposit Account Number: 50-1188</p> <p>Deposit Account Name: Rider, Bennett, Egan &amp; Arundel, LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>1,260</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920* Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840* Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55 Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200 Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460 Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720 Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,980</td> <td>228</td> <td>980 Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160 Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160 Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140 Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510 Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55 Petition to revive - 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SUBMITTED BY			Complete if applicable		
Name (Print/Type)	Kevin W. Cyr	Registration No. Attorney/Agent	40,978	Telephone	612-335-3953
Signature		Date	December 18, 2001		

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re. Appln.: Dave S. Purdy, et al  
Serial No.: Not yet assigned  
Filed: December 18, 2001  
For: APPARATUS AND METHOD FOR EVALUATING THE  
PERFORMANCE OF A BUSINESS  
Attorney: Kevin W. Cyr  
Attorney  
Docket No.: 16938-102  
Additional Fees: Charge to Deposit Account 50-1188

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

**TRANSMITTAL COVER LETTER**

Enclosed for filing, please find the following:

1. Utility Patent Application Transmittal (1 pg.);
2. Fee Transmittal for FY 2002 (1 pg.);
3. Specification, claims and abstract (28 pgs.);
4. One (1) sheet of informal drawings;
5. Declaration for Utility or Design Patent Application (2 pgs.);
6. Declaration – Additional Inventors (1 pg)
7. A check in the amount of \$370.00 for filing fee; and
8. Postcard.

Respectfully submitted,

Dated: 12/18/01

By Kevin W. Cyr  
Kevin W. Cyr (Reg. No. 40,976)  
RIDER BENNETT EGAN & ARUNDEL  
333 South Seventh Street, Suite 2000  
Minneapolis, MN 55402  
Telephone: (612) 335-3953

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this document, and the documents identified above, are being deposited with the United States Postal Service as Express Mail, Receipt No. EL783574057US, in an envelope addressed to the Assistant Commissioner of Patents at BOX PATENT APPLICATION, P.O. Box 2327, Arlington, VA 22202, on the date indicated below.

By Kevin W. Cyr  
Date 12/18/01